IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 27124 of 2003

Between:

M/s. Balaji Oil Mill, rep.by its Prop: Smt.Hemalatha Sharma,

W/o. Ramesh Sharma,aged 42 yrs, Occ:Business, R/o Adilabad.

..... PETITIONER

AND

1 The State Financial Corporation, rep.by its General Manager, regd.office at : 5-9-194,

Chirag Ali Lane, P.B.No.165, Hyderabad.
2 The Branch Manager, A.P.State Financial Corporation Adilabad Branch,
Collectorate Road, Beside Dist.Court, Adilabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or directing more in the nature of writ of Mandamus directing the respondents herein to consider the representations dt.4-12-2002 and 1-8-2003 of the petitioner Mill for settlement of loan account under one time settlement as offered by the corporation earlier as well as recently by giving last opportunity which was published in English daily 'Deccan Chronicle' on
12-12-2003 by duly declaring the action of the 2nd respondent in issuing letter Ref.No.AFC/MR&R/MON/2003-2004, dt.22-12-2003 for payment of the entire loan amount without taking any decision for one time settlement in response to the representations dt.4-12-2002 and 1-8-2003 which were submitted by the petitioner as well as other persons those who have offered collateral security for one time settlement or the loan account as illegal, arbitrary, discriminatory and contrary to the one time settlement offer made by the respondents corporation.

Counsel for the Petitioner:MR.V.RAVI KIRAN RAO

Counsel for the Respondents: 1 & 2: MR.Y.N.LOHITA

The Court made the following :

O R D E R:

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Aggrieved by the action of the respondents in not settling the loan account by one time settlement, the petitioner has filed this Writ Petition.

It is stated by the learned counsel appearing for the respondents that during the pendency of the Writ Petition, the respondents have taken a decision through the Letter Ref.No.AFC/MR&R/MDN/2004-2005/2330, dated 16.02.2005 considering the request of the petitioner for one time settlement of loan account informing her about the waiver of interest and closure of her loan account has been accepted on payment of a sum of Rs.9,41,488/- in full and final settlement of the loan account subject to the condition that the petitioner shall withdraw this Writ Petition pending on the file of this Court.

In view of the said proceedings, dated 16.02.2005 of the respondents 1 and 2 agreeing for one time settlement of the loan account of the petitioner, and as the counsel for the petitioner also sought permission for withdrawal of the Writ Petition, the Writ Petition is dismissed as withdrawn. No costs.

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V.ESWARAIAH, J

Dated:25-03-2005

CCM

To

1 The General Manager,the State Financial Corporation, Regd.office at : 5-9-194,

Chirag Ali Lane, P.B.No.165, Hyderabad.

2 The Branch Manager, A.P.State Financial Corporation Adilabad Branch, Collectorate Road, Beside Dist.Court, Adilabad.

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